

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PAUL IACOVACCI,

Plaintiff,

-against-

BREVET HOLDINGS, LLC, *a Delaware Limited Liability Company*, BREVET CAPITAL MANAGEMENT, LLC, *a Delaware Limited Liability Company*, BREVET SHORT DURATION PARTNERS, LLC, *a Delaware Limited Liability Company*, BREVET SHORT DURATION HOLDINGS, LLC, *a Delaware Limited Liability Company*, DOUGLAS MONTICCILOLO, *as a Member and the Majority Owner of Brevet Holdings, LLC, Chief Investment Officer of Brevet Capital Management, LLC, a Member of Brevet Short Duration Partners, LLC, a Member of Brevet Short Duration Holdings, LLC, and Individually*, MARK CALLAHAN, *as President of Brevet Capital Management, LLC, a Member of Brevet Short Duration Partners, LLC, a Member of Brevet Short Duration Holdings, LLC, and Individually*, JOHNNY LAN, *as Vice President and Head of Technology of Brevet Capital Management, LLC and Individually*, and JOHN AND JANE DOES 1 THROUGH 100,

Defendants.

Civil Case No.:
1:18-cv-08048-JFK

**DEFENDANTS' NOTICE OF
MOTION TO DISMISS**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss Plaintiff's 2nd Federal Complaint; the Declaration of Philip C. Semprevivo, Esq., dated November 12, 2018, and the exhibits attached thereto; defendants BREVET HOLDINGS, LLC, BREVET CAPITAL MANAGEMENT, LLC, BREVET SHORT DURATION PARTNERS, LLC, BREVET SHORT DURATION HOLDINGS, LLC, DOUGLAS MONTICCILOLO, and MARK CALLAHAN (collectively, the "Defendants"), by their attorneys Biedermann Hoenig Semprevivo, a Professional Corporation, will move this Court before the Hon. U.S. District Judge John F. Keenan, on a return date to be set by the Court, for an Order dismissing Plaintiff's Complaint, pursuant to Fed. R. Civ. P. 12(b)(1).

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b), Plaintiff's opposition papers, if any, to Defendants' Motion shall be due on or before fourteen (14) days after service of these Motion papers, and Defendants' reply papers, if any, shall be due on or before seven (7) days after the service of Plaintiff's opposition papers.

Dated: New York, New York
November 12, 2018

BIEDERMANN HOENIG SEMPREVIVO,
A Professional Corporation

By: 

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To: All counsel of record (*via ECF*)